



General Assembly

January Session, 2001

**Bill No. 1140**

LCO No. 3608

Referred to Committee on Education

Introduced by:

SEN. DELUCA, 32<sup>nd</sup> Dist.

REP. WARD, 86<sup>th</sup> Dist.

***AN ACT CONCERNING EDUCATION GRANTS FOR INTERDISTRICT PROGRAMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 10-264l of the general statutes is repealed and the  
2       following is substituted in lieu thereof:

3       (a) The Department of Education shall, within available  
4       appropriations, establish a grant program to assist local and regional  
5       boards of education, regional educational service centers and  
6       cooperative arrangements pursuant to section 10-158a with the  
7       operation of interdistrict magnet school programs. For the purposes of  
8       this section "an interdistrict magnet school program" means a program  
9       which (1) supports racial, ethnic and economic diversity, (2) offers a  
10      special and high quality curriculum, and (3) requires students who are  
11      enrolled to attend at least half-time. An interdistrict magnet school  
12      program does not include a regional vocational agriculture school, a  
13      regional vocational-technical school or a regional special education  
14      center. On and after July 1, 2000, the governing authority for each

15 interdistrict magnet school program shall restrict the number of  
16 students that may enroll in the program from a participating district to  
17 eighty per cent of the total enrollment of the program.

18 (b) Applications for interdistrict magnet school program operating  
19 grants awarded pursuant to this section shall be submitted annually to  
20 the Commissioner of Education at such time and in such manner as the  
21 commissioner prescribes. In determining whether an application shall  
22 be approved and funds awarded pursuant to this section, the  
23 commissioner shall consider, but such consideration shall not be  
24 limited to: (1) Whether the program offered by the school is likely to  
25 increase student achievement; (2) whether the program is likely to  
26 reduce racial, ethnic and economic isolation; and (3) the percentage of  
27 the student enrollment in the program from each participating district.  
28 On and after July 1, 2000, the commissioner shall not award a grant to  
29 a program if more than eighty per cent of its total enrollment is from  
30 one school district, except that the commissioner may award a grant  
31 for good cause, for any one year, on behalf of an otherwise eligible  
32 magnet school program, if more than eighty per cent of the total  
33 enrollment is from one district.

34 (c) The maximum amount each interdistrict magnet school program  
35 shall be eligible to receive per enrolled student shall be determined as  
36 follows: (1) For each participating district whose magnet school  
37 program enrollment is equal to or less than thirty per cent of the  
38 magnet school program total enrollment, ninety per cent of the  
39 foundation as defined in subdivision (7) of section 10-262f; (2) for each  
40 participating district whose magnet school program enrollment is  
41 greater than thirty per cent but less than or equal to sixty per cent of  
42 the magnet school program total enrollment, a percentage between  
43 sixty and ninety per cent of said foundation that is inversely  
44 proportional to the percentage of magnet school program students  
45 from such district; and (3) for each participating district whose magnet  
46 school program enrollment is greater than sixty per cent but less than  
47 or equal to ninety per cent of the magnet school program total

48 enrollment, a percentage between zero and sixty per cent of said  
49 foundation that is inversely proportional to the percentage of magnet  
50 school program students from such district. The amounts so  
51 determined shall be proportionately adjusted, if necessary, within the  
52 limit of the available appropriation, and in no case shall any grant  
53 pursuant to this section exceed the reasonable operating budget of the  
54 magnet school program, less revenues from other sources. Any magnet  
55 school program operating less than full-time but at least half-time shall  
56 be eligible to receive a grant equal to sixty-five per cent of the grant  
57 amount determined pursuant to this subsection.

58 (d) Grants made pursuant to this section shall be paid as follows:  
59 Fifty per cent by September first and the balance by January first of  
60 each fiscal year. The January first payment shall be adjusted to reflect  
61 actual interdistrict magnet school program enrollment as of the  
62 preceding October first, if the actual level of enrollment is lower than  
63 the projected enrollment stated in the approved grant application.

64 (e) The Department of Education may retain up to one per cent of  
65 the amount appropriated for purposes of this section for program  
66 evaluation and administration.

67 (f) Each local or regional school district in which an interdistrict  
68 magnet school is located shall provide the same kind of transportation  
69 to its children enrolled in such interdistrict magnet school as it  
70 provides to its children enrolled in other public schools in such local or  
71 regional school district. The parent or guardian of a child denied the  
72 transportation services required to be provided pursuant to this  
73 subsection may appeal such denial in the manner provided in sections  
74 10-186 and 10-187.

75 [(g) On or before October fifteenth of each year, the Commissioner  
76 of Education shall determine if interdistrict magnet school enrollment  
77 is below the number of students for which funds were appropriated. If  
78 the commissioner determines that the enrollment is below such  
79 number, the additional funds shall not lapse but shall be used by the

80 commissioner for grants for interdistrict cooperative programs  
81 pursuant to section 10-74d.]

82 [(h)] (g) In the case of a student identified as requiring special  
83 education, the school district in which the student resides shall: (1)  
84 Hold the planning and placement team meeting for such student and  
85 shall invite representatives from the interdistrict magnet school to  
86 participate in such meeting; and (2) pay the interdistrict magnet school  
87 an amount equal to the difference between the reasonable cost of  
88 educating such student and the sum of the amount received by the  
89 interdistrict magnet school for such student pursuant to subsection (c)  
90 of this section and amounts received from other state, federal, local or  
91 private sources calculated on a per pupil basis. Such school district  
92 shall be eligible for reimbursement pursuant to section 10-76g. If a  
93 student requiring special education attends an interdistrict magnet  
94 school on a full-time basis, such interdistrict magnet school shall be  
95 responsible for ensuring that such student receives the services  
96 mandated by the student's individualized education program whether  
97 such services are provided by the interdistrict magnet school or by the  
98 school district in which the student resides.

99 Sec. 2. Section 10-266aa of the general statutes is repealed and the  
100 following is substituted in lieu thereof:

101 (a) As used in this section:

102 (1) "Receiving district" means any school district that accepts  
103 students under the program established pursuant to this section; and

104 (2) "Sending district" means any school district that sends students it  
105 would otherwise be legally responsible for educating to another school  
106 district under the program.

107 (b) There is established, within available appropriations, a state-  
108 wide interdistrict public school attendance program. The purpose of  
109 the program shall be to: (1) Improve academic achievement; (2) reduce

110 racial, ethnic and economic isolation or preserve racial and ethnic  
111 balance; and (3) provide a choice of educational programs for students  
112 enrolled in the public schools. The Department of Education shall  
113 provide oversight for the program, including the setting of reasonable  
114 limits for the transportation of students participating in the program,  
115 and may provide for the incremental expansion of the program for the  
116 school year commencing in 2000 for each town required to participate  
117 in the program pursuant to subsection (c) of this section.

118 (c) The program shall be phased in as provided in this subsection.

119 (1) For the fiscal year ending June 30, 1998, the Department of  
120 Education shall provide grants in the amount of fifty thousand dollars  
121 each to the regional educational service centers for the Hartford, New  
122 Haven and Bridgeport regions to assist school districts in planning for  
123 the operation of the program. (2) For the school year commencing in  
124 1998, and for each school year thereafter, the program shall be in  
125 operation in the Hartford, New Haven and Bridgeport regions. The  
126 Hartford program shall operate as a continuation of the program  
127 described in section 10-266j. Students who reside in Hartford, New  
128 Haven or Bridgeport may attend school in another school district in  
129 the region and students who reside in such other school districts may  
130 attend school in Hartford, New Haven or Bridgeport. The Department  
131 of Education may provide, within available appropriations, grants for  
132 the fiscal years ending June 30, 1999, and June 30, 2000, to the  
133 remaining regional educational service centers to assist school districts  
134 in planning for the expansion of the program to every priority school  
135 district, pursuant to section 10-266p, in the state. (3) For the school year  
136 commencing in 2000, and for each school year thereafter, the program  
137 shall be in operation in New Britain, New London, Waterbury and  
138 Windham. (4) For the school year commencing in 2001, and for each  
139 school year thereafter, the program shall be in operation in every  
140 priority school district in the state. Students from other school districts  
141 in the area of a priority school district, as determined by the regional  
142 educational service center pursuant to subsection (d) of this section,  
143 may attend school in the priority school district and students from the

144 priority school district may attend school in any school district in such  
145 area in accordance with the provisions of this section, including the  
146 purposes specified in subsection (b) of this section.

147 (d) Once the program is in operation in the region served by a  
148 regional educational service center pursuant to subsection (c) of this  
149 section, the Department of Education shall provide, annually, a grant  
150 in the amount of one hundred seventy-five thousand dollars to such a  
151 regional educational service center to assist school districts in its area  
152 in administering the program and to provide staff to assist students  
153 participating in the program to make the transition to a new school  
154 and to act as a liaison between the parents of such students and the  
155 new school district. Each regional educational service center shall  
156 determine which school districts in its area are located close enough to  
157 a priority school district to make participation in the program feasible  
158 in terms of student transportation pursuant to subsection (e) of this  
159 section, provided any student participating in the program prior to  
160 July 1, 1999, shall be allowed to continue to attend the same school  
161 such student attended prior to said date in the receiving district until  
162 the student completes the highest grade in such school. Each regional  
163 educational service center shall convene, annually, a meeting of  
164 representatives of such school districts in order for such school  
165 districts to report, by March thirty-first, the number of spaces available  
166 for the following school year for out-of-district students under the  
167 program. Annually, each regional educational service center shall  
168 provide a count of such spaces to the Department of Education by  
169 April fifteenth. If there are more students who seek to attend school in  
170 a receiving district than there are spaces available, the regional  
171 educational service center shall assist the school district in determining  
172 attendance by the use of a lottery or lotteries designed to preserve or  
173 increase racial, ethnic and economic diversity, except that the regional  
174 educational service center shall give preference to siblings and to  
175 students who would otherwise attend a school that has lost its  
176 accreditation by the New England Association of Schools and Colleges.  
177 The admission policies shall be consistent with section 10-15c. No

178 receiving district shall recruit students under the program for athletic  
179 or extracurricular purposes. Each receiving district shall allow out-of-  
180 district students it accepts to attend school in the district until they  
181 graduate from high school.

182 (e) The Department of Education shall provide grants to regional  
183 educational service centers or local or regional boards of education for  
184 the reasonable cost of transportation for students participating in the  
185 program. For the fiscal year ending June 30, 2000, and each fiscal year  
186 thereafter, the department shall provide such grants within available  
187 appropriations, provided the state-wide average of such grants does  
188 not exceed an amount equal to two thousand one hundred dollars for  
189 each student transported. The regional educational service centers  
190 shall provide reasonable transportation services to high school  
191 students who wish to participate in supervised extracurricular  
192 activities. For purposes of this section, the number of students  
193 transported shall be determined on September first of each fiscal year.

194 (f) The Department of Education shall provide, within available  
195 appropriations, an annual grant to the local or regional board of  
196 education for each receiving district in an amount not to exceed two  
197 thousand dollars for each out-of-district student who attends school in  
198 the receiving district under the program. Each town which receives  
199 funds pursuant to this subsection shall make such funds available to its  
200 local or regional board of education in supplement to any other local  
201 appropriation, other state or federal grant or other revenue to which  
202 the local or regional board of education is entitled.

203 (g) Notwithstanding any provision of this chapter, each sending  
204 district and each receiving district shall divide the number of children  
205 participating in the program who reside in such district or attend  
206 school in such district by two for purposes of the counts for  
207 subdivision (22) of section 10-262f and subdivision (2) of subsection (a)  
208 of section 10-261.

209 (h) In the case of an out-of-district student who requires special

210 education and related services, the sending district shall pay the  
211 receiving district an amount equal to the difference between the  
212 reasonable cost of providing such special education and related  
213 services to such student and the amount received by the receiving  
214 district pursuant to subdivision (f) of this section. The sending district  
215 shall be eligible for reimbursement pursuant to section 10-76g.

216 (i) Nothing in this section shall prohibit school districts from  
217 charging tuition to other school districts that do not have a high school  
218 pursuant to section 10-33.

219 [(j) On or before October fifteenth of each year, the Commissioner of  
220 Education shall determine if the enrollment in the program for the  
221 fiscal year is below the number of students for which funds were  
222 appropriated. If the commissioner determines that the enrollment is  
223 below such number, the additional funds shall not lapse but shall be  
224 used by the commissioner in accordance with this subsection. (1) Any  
225 amount up to three hundred fifty thousand dollars of such nonlapsing  
226 funds shall be used for supplemental grants to receiving districts on a  
227 pro rata basis for each out-of-district student in the program who  
228 attends the same school in the receiving district as at least nine other  
229 such out-of-district students, not to exceed one thousand dollars per  
230 student. (2) Any remaining nonlapsing funds shall be used for  
231 interdistrict cooperative grants pursuant to section 10-74d.]

232 [(k)] (j) For purposes of the state-wide mastery examinations under  
233 section 10-14n, students participating in the program established  
234 pursuant to this section shall be considered residents of the school  
235 district in which they attend school.

236 Sec. 3. Section 10-266cc of the general statutes is repealed and the  
237 following is substituted in lieu thereof:

238 For the fiscal years ending June 30, 1999, June 30, 2000, and June 30,  
239 2001, [and each fiscal year thereafter,] the Department of Education  
240 shall award, within available appropriations, competitive grants to the



241 Hartford, New Haven and Bridgeport school districts to assist in the  
242 development of curricula and the training of staff for lighthouse  
243 schools. Grants for such purpose shall not exceed one hundred  
244 thousand dollars for any individual school in any year and may be  
245 renewed for two additional years in such lesser amounts as the  
246 department determines are reasonable for purposes of implementing  
247 the lighthouse school program at a school. For purposes of this section  
248 and section 10-285a, a "lighthouse school" is an existing public school  
249 or a public school planned prior to July 1, 1997, in a priority school  
250 district that (1) has a specialized curriculum, and (2) is designed to  
251 promote intradistrict and interdistrict public school choice.

252 Sec. 4. This act shall take effect July 1, 2001.

***Statement of Purpose:***

To implement the Governor's budget recommendations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*